ORDINANCE NO. 14

Series, 1964

AN ORDINANCE VACATING RAILROAD STREET FROM THE INTERSECTION OF SAID STREET WITH THE SOUTH LINE OF FRESNO STREET SOUTHWESTERLY TO THE INTERSECTION OF SAID STREET WITH THE NORTH LINE OF DETROIT STREET, IN THE CITY OF ELGIN, OREGON, AND DECLARING AN EMERGENCY.

WHEREAS, the City Council of the City of Elgin, Union County, Oregon, by Resolution No. 3, Series, 1964, approved and adopted on the 8th day of September, 1964, and initiated vacation proceedings for the vacation of Railroad Street from the intersection of said Street with the south line of Fresno Street southwesterly to the intersection of said Street with the north line of Detroit Street in Elgin, Oregon, and did by such Resoltuion declare its intention to make such vacation without the petition of property owners, unless good cause to the contrary be shown, and

WHEREAS, said City Council did cause an examination to be made of the hereinabove described Street and found that said Street had never been opened to the public and, in fact, had been abandoned, and that there is no roadway upon the same, and that there are no electric transmission lines, water mains, gas mains or sewer lines situate in, on or under said Street, and

WHEREAS, the property owner adjacent to said Street has requested that said Street be vacated and that the City Council initiate vacation proceedings with respect to said Street pursuant to ORS 271.130, and

WHEREAS, the City Council has found that the vacation of said Street will not in any way adversely affect the market value of the adjoining, adjacent and closely situated properties, nor will cause any damage to inure thereto, and that the interest of the public therein will not be prejudiced by such vacation, and

WHEREAS, notice of such street vacation was published in The Elgin Recorder, a newspaper of general circulation printed and published weekly in Elgin, Oregon, for four (4) consecutive and successive weeks, in issues of said newspaper dated September 11, 18, 25 and October 2, all in 1964, as is more fully shown by the Affidavit of Publication of such notice heretofore filed with the City Recorder herein, and

WHEREAS, notice of such proposed street vacation was posted in two conspicuous public places in public view, to-wit: (1) At the intersection of Railroad Street and Fresno Street; and (1) At the intersection of Railroad Street and Detroit Street, and due proof of such posting having been heretofore filed in Affidavit form with the City Recorder of Elgin, Oregon, and

WHEREAS, at the time and place fixed for the hearing of said vacation, to-wit: the hour of 8:00 P. M. in the City Council room of the City Hall of said City of Elgin, Oregon, on Tuesday, November 10, 1964, said City Council held said hearing on said proposed street vacation; that no objections or remonstrances to such street vacation were made in writing and filed with the City Recorder of said City prior to the time of such hearing, or at all, and no one appeared at said hearing and made any objections or remonstrances to such vacation,

NOW, THEREFORE:

The City of Elgin does ordain as follows:

Section 1: That portion of Railroad Street from the intersection of said Street with the south line of Fresno Street southwesterly to the intersection of

said Street with the north line of Detroit Street in the City of Elgin, Oregon, be and the same is hereby vacated and that part of the plat showing said Street as hereinabove described shall henceforth be held for naught and title to said vacated Street shall be and remain as by law provided.

Section 2: That the City Recorder is hereby directed to cause a certified copy of this Ordinance to be recorded in the office of the County Clerk of Union County, Oregon, and also cause to be filed a certified copy of this Ordinance with the County Assessor and County Surveyor of Union County, Oregon.

Section 3: It appearing that the hereinabove described portion of Railroad Street has not for the many years last passed been opened to public traffic, but has been used for residential purposes and that there is presently underway certain construction in and upon the same and adjacent and adjoining land, all of which requires immediate attention; now, therefore, it being necessary for the preservation of the peace and quiet of the City of Elgin, that this ordinance take effect immediately, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage by the Council and approval by the Mayor.

PASSED this 10th day of November, 1964.

APPROVED this 10th day of November, 1964.

Lloyd A. Spike
Mayor

Attested and filed this
10th day of November, 1964.

Ethel Blunt
City Recorder